Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

AMENDMENTS TO THE CLAIMS

Docket No.: 12810-00193-US

Listing of Claims:

1. (Currently amended) A process for the production of compounds of the formula I

$$\begin{array}{c|c}
CH_2 & CH_2 & CH_2 \\
\hline
CH = CH & CH_2 & CH_3
\end{array}$$
(I)

in a transgenic organism with a content of at least 1% by weight of these compounds based on the total lipid content of the transgenic organism, which comprises the following process steps:

- a) introducing, into the organism, at least one nucleic acid sequence which encodes a polypeptide with $\Delta 9$ -elongase or a- $\Delta 6$ -desaturase activity, and
- b) introducing, into the organism, at least one nucleic acid sequence which encodes a polypeptide with $\Delta 8$ -desaturase or a $\Delta 6$ -elongase activity, and
- c) introducing, into the organism, at least one nucleic acid sequence which encodes a polypeptide with $\Delta 5$ -desaturase activity, and
- d) introducing, into the organism, at least one nucleic acid sequence which encodes a polypeptide with $\Delta 5$ -elongase activity, and
- e) introducing, into the organism, at least one nucleic acid sequence which encodes a polypeptide with $\Delta 4$ -desaturase activity, and

where the variables and substituents in formula I have the following meanings:

R¹ = hydroxyl, coenzyme A (thioester), lysophosphatidylcholine, lysophosphatidylethanolamine, lysophosphatidylglycerol, lysodiphosphatidylglycerol, lysophosphatidylserine, lysophosphatidylinositol, sphingo base or a radical of the formula II

Application No.: 10/566,944

Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

$$\begin{array}{c|c}
H_2C-O-R^2 \\
HC-O-R^3 \\
H_2C-O
\end{array}$$
(II)

Docket No.: 12810-00193-US

in which

 R^2 = hydrogen, lysophosphatidyl choline, lysophosphatidylethanolamine, lysophosphatidylglycerol, lysophosphatidylglycerol, lysophosphatidylserine, lysophosphatidylinositol or saturated or unsaturated C_2 - C_{24} -alkylcarbonyl,

 R^3 = hydrogen, saturated or unsaturated C_2 - C_{24} -alkylcarbonyl, or R^2 and R^3 independently of one another are a radical of the formula Ia:

$$\begin{array}{c|c} CH_2 & CH_2 & CH_2 \\ \hline \end{array}$$

in which

n = 2, 3, 4, 5, 6, 7 or 9, m = 2, 3, 4, 5 or 6 and p = 0 or 3.

- 2. (Currently amended) The process according to claim 1, wherein the <u>at least one</u> nucleic acid sequence[[s]] which encodes a polypeptide[[s]] with $\Delta 9$ -elongase, $\Delta 6$ -desaturase, $\Delta 8$ -desaturase, $\Delta 6$ -elongase, $\Delta 6$ -elongase, $\Delta 6$ -elongase or $\Delta 4$ -desaturase activity are <u>is</u> selected from the group consisting of:
- a) a nucleic acid sequence with the sequence shown in SEQ ID NO: 1, SEQ ID NO: 3, SEQ ID NO: 5, SEQ ID NO: 7, SEQ ID NO: 9, SEQ ID NO: 11, SEQ ID NO: 13, SEQ ID NO: 15, SEQ ID NO: 17, SEQ ID NO: 19, SEQ ID NO: 21, SEQ ID NO: 23, SEQ ID NO: 25, SEQ ID NO: 27, SEQ ID NO: 29, SEQ ID NO: 31, SEQ ID NO: 33, SEQ ID NO: 35, SEQ ID NO: 37, SEQ ID NO: 39, SEQ ID NO: 41, SEQ ID NO: 43, SEQ ID NO: 45, SEQ ID NO: 47, SEQ ID NO: 49, SEQ ID NO: 51, SEQ ID NO: 53, SEQ ID NO: 59, SEQ ID NO: 61, SEQ ID NO: 63, SEQ ID NO: 65, SEQ ID NO: 67, SEQ ID NO: 69, SEQ ID NO: 71, SEQ ID NO: 73, SEQ ID NO: 75, SEQ ID NO: 77, SEQ ID NO: 79, SEQ ID NO: 81, SEQ ID NO: 83, SEQ ID NO: 85,

Application No.: 10/566,944 Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

SEQ ID NO: 89, SEQ ID NO: 91, SEQ ID NO: 93, SEQ ID NO: 95, SEQ ID NO: 97, SEQ ID NO: 99, SEQ ID NO: 101, SEQ ID NO: 103, SEQ ID NO: 111, SEQ ID NO: 113, SEQ ID NO: 117, SEQ ID NO: 119, SEQ ID NO: 131, SEQ ID NO: 133, SEQ ID NO: 135, SEQ ID NO: 137 or SEQ ID NO: 183, or

- b) <u>a</u> nucleic acid sequence[[s]] which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence[[s]] shown in SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, SEQ ID NO: 8, SEQ ID NO: 10, SEQ ID NO: 12, SEQ ID NO: 14, SEQ ID NO: 16, SEQ ID NO: 18, SEQ ID NO: 20, SEQ ID NO: 22, SEQ ID NO: 24, SEQ ID NO: 26, SEQ ID NO: 28, SEQ ID NO: 30, SEQ ID NO: 32, SEQ ID NO: 34, SEQ ID NO: 36, SEQ ID NO: 38, SEQ ID NO: 40, SEQ ID NO: 42, SEQ ID NO: 44, SEQ ID NO: 46, SEQ ID NO: 48, SEQ ID NO: 50, SEQ ID NO: 52, SEQ ID NO: 54, SEQ ID NO: 60, SEQ ID NO: 62, SEQ ID NO: 64, SEQ ID NO: 66, SEQ ID NO: 68, SEQ ID NO: 70, SEQ ID NO: 72, SEQ ID NO: 74, SEQ ID NO: 76, SEQ ID NO: 78, SEQ ID NO: 80, SEQ ID NO: 82, SEQ ID NO: 84, SEQ ID NO: 86, SEQ ID NO: 90, SEQ ID NO: 91, SEQ ID NO: 92, SEQ ID NO: 94, SEQ ID NO: 96, SEQ ID NO: 98, SEQ ID NO: 100, SEQ ID NO: 102, SEQ ID NO: 104, SEQ ID NO: 112, SEQ ID NO: 114, SEQ ID NO: 118, SEQ ID NO: 120, SEQ ID NO: 132, SEQ ID NO: 134, SEQ ID NO: 136, SEQ ID NO: 138 or SEQ ID NO: 184, ef and
- c) <u>a</u> derivative[[s]] of the nucleic acid sequence shown in SEQ ID NO: 1, SEQ ID NO: 5, SEQ ID NO: 7, SEQ ID NO: 9, SEQ ID NO: 11, SEQ ID NO: 13, SEQ ID NO: 15, SEQ ID NO: 17, SEQ ID NO: 19, SEQ ID NO: 21, SEQ ID NO: 23, SEQ ID NO: 25, SEQ ID NO: 27, SEQ ID NO: 29, SEQ ID NO: 31, SEQ ID NO: 33, SEQ ID NO: 35, SEQ ID NO: 37, SEQ ID NO: 39, SEQ ID NO: 41, SEQ ID NO: 43, SEQ ID NO: 45, SEQ ID NO: 47, SEQ ID NO: 49, SEQ ID NO: 51, SEQ ID NO: 53, SEQ ID NO: 59, SEQ ID NO: 61, SEQ ID NO: 63, SEQ ID NO: 65, SEQ ID NO: 67, SEQ ID NO: 69, SEQ ID NO: 71, SEQ ID NO: 73, SEQ ID NO: 75, SEQ ID NO: 77, SEQ ID NO: 79, SEQ ID NO: 81, SEQ ID NO: 83, SEQ ID NO: 85, SEQ ID NO: 99, SEQ ID NO: 91, SEQ ID NO: 93, SEQ ID NO: 95, SEQ ID NO: 97, SEQ ID NO: 99, SEQ ID NO: 101, SEQ ID NO: 103, SEQ ID NO: 111, SEQ ID NO: 113, SEQ ID NO: 117, SEQ ID NO: 119, SEQ ID NO: 131, SEQ ID NO: 133, SEQ ID NO: 135,

Docket No.: 12810-00193-US

SEQ ID NO: 137 or SEQ ID NO: 183 which encodes a polypeptide[[s]] with at least 40% identity at the amino acid level with SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, SEQ ID NO: 8, SEQ ID NO: 10, SEQ ID NO: 12, SEQ ID NO: 14, SEQ ID NO: 16, SEQ ID NO: 18, SEQ ID NO: 20, SEQ ID NO: 22, SEQ ID NO: 24, SEQ ID NO: 26, SEQ ID NO: 28, SEQ ID NO: 30, SEQ ID NO: 32, SEQ ID NO: 34, SEQ ID NO: 36, SEQ ID NO: 38, SEQ ID NO: 40, SEQ ID NO: 42, SEQ ID NO: 44, SEQ ID NO: 46, SEQ ID NO: 48, SEQ ID NO: 50, SEQ ID NO: 52, SEQ ID NO: 54, SEQ ID NO: 60, SEQ ID NO: 62, SEQ ID NO: 64, SEQ ID NO: 66, SEQ ID NO: 68, SEQ ID NO: 70, SEQ ID NO: 72, SEQ ID NO: 74, SEQ ID NO: 76, SEQ ID NO: 78, SEQ ID NO: 80, SEQ ID NO: 82, SEQ ID NO: 84, SEQ ID NO: 86, SEQ ID NO: 88, SEQ ID NO: 92, SEQ ID NO: 94, SEQ ID NO: 96, SEQ ID NO: 98, SEQ ID NO: 100, SEQ ID NO: 102, SEQ ID NO: 104, SEQ ID NO: 112, SEQ ID NO: 114, SEQ ID NO: 118, SEQ ID NO: 120, SEQ ID NO: 132, SEQ ID NO: 134, SEQ ID NO: 136, SEQ ID NO: 138 or SEQ ID NO: 184 and which have Δ9 elongase, and having Δ6-desaturase, Δ8-desaturase, Δ6-elongase, Δ5-desaturase, Δ5-elongase or Δ4-desaturase activity.

- 3. (Currently amended) The process according to claim 1, wherein a nucleic acid sequence which encodes a polypeptide[[s]] with ω 3-desaturase activity is additionally introduced into the organism, wherein said nucleic acid sequence is selected from the group consisting of:
- [[a.]] <u>a)</u> a nucleic acid sequence with the sequence shown in SEQ ID NO: 87 or SEQ ID NO: 105, or
- [[b.]] b) <u>a</u> nucleic acid sequence[[s]] which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 88 or SEQ ID NO: 106, or and
- [[c.]] c) <u>a</u> derivative[[s]] of the nucleic acid sequence shown in SEQ ID NO: 87 or SEQ ID NO: 105 which encodes <u>a</u> polypeptide[[s]] with at least 60% 70% identity at the amino acid level with SEQ ID NO: 88 or SEQ ID NO: 106 and which have and having ω 3-desaturase activity.

is additionally introduced to the organism.

Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

4. (Currently amended) The process according to claim 1, wherein a nucleic acid sequence which encodes a polypeptide[[s]] with $\Delta 12$ -desaturase activity is additionally introduced into the organism, wherein said nucleic acid sequence is selected from the group consisting of:

- a) a nucleic acid sequence with the sequence shown in SEQ ID NO: 107 or SEQ ID NO: 109, or
- b) <u>a</u> nucleic acid sequence[[s]] which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 108 or SEQ ID NO: 110, or and
- c) <u>a</u> derivative[[s]] of the nucleic acid sequence shown in SEQ ID NO: 107 or SEQ ID NO: 110 which encodes a polypeptide[[s]] with at least 60% 70% identity at the amino acid level with SEQ ID NO: 108 or SEQ ID NO: 110 and which have and having Δ 12-desaturase activity.

is additionally introduced into the organism.

- 5. (Previously presented) The process according to claim 1, wherein the substituents R^2 or R^3 independently of one another are saturated or unsaturated C_{18} - C_{22} -alkylcarbonyl.
- 6. (Previously presented) The process according to claim 1, wherein the substituents R^2 or R^3 independently of one another are unsaturated C_{18} -, C_{20} or C_{22} -alkylcarbonyl with at least two double bonds.
- 7. (Previously presented) The process according to claim 1, wherein the transgenic organism is a transgenic microorganism or a transgenic plant.
- 8. (Previously presented) The process according to claim 1, wherein the transgenic organism is an oil-producing plant, a vegetable plant or an ornamental.
- 9. (Previously presented) The process according to any of claim 1, wherein the transgenic organism is a transgenic plant selected from the group consisting of the plant families:

 Adelotheciaceae, Anacardiaceae, Asteraceae, Apiaceae, Betulaceae, Boraginaceae, Brassicaceae, Bromeliaceae, Caricaceae, Cannabaceae, Convolvulaceae, Chenopodiaceae, Crypthecodiniaceae, Cucurbitaceae, Ditrichaceae, Elaeagnaceae, Ericaceae, Euphorbiaceae, Fabaceae, Geraniaceae, Gramineae, Juglandaceae, Lauraceae, Leguminosae, Linaceae and Prasinophyceae.

Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

10. (Previously presented) The process according to claim 1, wherein the compounds of the formula I are isolated from the organism in the form of oils, lipids or free fatty acids.

- 11. (Previously presented) The process according to claim 1, wherein the compounds of the formula I are isolated in a concentration of at least 5% by weight based on the total lipid content of the transgenic organism.
- 12. (Withdrawn) Oil, lipid or fatty acid, or a fraction thereof, produced by the process according to claim 1.
- 13. (Withdrawn) Oil, lipid or fatty acid composition which comprises polyunsaturated fatty acids (PUFAs) produced by the process according to claim 1 and which is derived from transgenic plants.
- 14. (Withdrawn) A process for the production of oils, lipids or fatty acid compositions, wherein the process comprises mixing oils, lipids or fatty acids produced by the process according to claim 1, or oil, lipid or fatty acid compositions comprising polyunsaturated fatty acids (PUFAs) produced by the process according to claim 1 and derived from transgenic plants with animal oils, lipids or fatty acids.
- 15. (Withdrawn) Feed, foodstuffs, cosmetics or pharmaceuticals comprising oils, lipids or fatty acids produced by the process according to claim 1, or oils, lipid or fatty acid compositions comprising polyunsaturated fatty acids (PUFAs) produced by the process according to claim 1 and derived from transgenic plants.
- 16. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with Δ5-elongase activity and comprises an amino acid sequence selected from the group of amino acid sequences as shown in SEQ ID NO: 115, SEQ ID NO: 116, SEQ ID NO: 139, SEQ ID NO: 140, SEQ ID NO: 141 and SEQ ID NO: 142.
- 17. (Withdrawn) The isolated nucleic acid sequence according to claim 16, wherein the nucleic acid sequence which encodes a polypeptide with $\Delta 5$ -elongase activity comprises a combination of the amino acid sequences selected from the group consisting of:
- a) SEQ ID NO: 115 and SEQ ID NO: 139, SEQ ID NO: 115 and SEQ ID NO: 140 or SEQ ID NO: 139 and SEQ ID NO: 140; or

Application No.: 10/566,944 Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

b) SEQ ID NO: 116 and SEQ ID NO: 141, SEQ ID NO: 116 and SEQ ID NO: 142 or SEQ ID NO: 141 and SEQ ID NO: 142; or

Docket No.: 12810-00193-US

- c) SEQ ID NO: 115, SEQ ID NO: 139 and SEQ ID NO: 140 or SEQ ID NO: 116, SEQ ID NO: 141 and SEQ ID NO: 142.
- 18. (Withdrawn) The isolated nucleic acid sequence according to claim 16 which encodes a polypeptide with $\Delta 5$ -elongase activity, wherein the nucleic acid sequence is selected from the group consisting of:
- a. a nucleic acid sequence with the sequence shown in SEQ ID NO: 43, SEQ ID NO: 45, SEQ ID NO: 47, SEQ ID NO: 49, SEQ ID NO: 59, SEQ ID NO: 61, SEQ ID NO: 63, SEQ ID NO: 65, SEQ ID NO: 67, SEQ ID NO: 75, SEQ ID NO: 77, SEQ ID NO: 79, SEQ ID NO: 83, SEQ ID NO: 85, SEQ ID NO: 113, SEQ ID NO: 131 or SEQ ID NO: 133,
- b. nucleic acid sequences which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 44, SEQ ID NO: 46, SEQ ID NO: 48, SEQ ID NO: 50, SEQ ID NO: 60, SEQ ID NO: 62, SEQ ID NO: 64, SEQ ID NO: 66, SEQ ID NO: 68, SEQ ID NO: 76, SEQ ID NO: 78, SEQ ID NO: 80, SEQ ID NO: 84, SEQ ID NO: 86, SEQ ID NO: 114, SEQ ID NO: 132 or SEQ ID NO: 134, or
- c. derivatives of the nucleic acid sequence shown in SEQ ID NO: 43, SEQ ID NO: 45, SEQ ID NO: 47, SEQ ID NO: 49, SEQ ID NO: 59, SEQ ID NO: 61, SEQ ID NO: 63, SEQ ID NO: 65, SEQ ID NO: 67, SEQ ID NO: 75, SEQ ID NO: 77, SEQ ID NO: 79, SEQ ID NO: 83, SEQ ID NO: 85, SEQ ID NO: 113, SEQ ID NO: 131 or SEQ ID NO: 133 which encode polypeptides with at least 40% homology at the amino acid level with SEQ ID NO: 44, SEQ ID NO: 46, SEQ D NO: 48, SEQ ID NO: 50, SEQ ID NO: 60, SEQ ID NO: 62, SEQ ID NO: 64, SEQ ID NO: 66, SEQ ID NO: 68, SEQ ID NO: 76, SEQ ID NO: 78, SEQ ID NO: 80, SEQ ID NO: 84, SEQ ID NO: 86, SEQ ID NO: 114, SEQ ID NO: 132 or SEQ ID NO: 134 and which have Δ5-elongase activity.
- 19. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with $\Delta 6$ -elongase activity selected from the group consisting of:
- a. a nucleic acid sequence with the sequence shown in SEQ ID NO: 69, SEQ ID NO: 81, SEQ ID NO: 111 or SEQ ID NO: 183,

Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

b. nucleic acid sequences which, as a result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 70, SEQ ID NO: 82, SEQ ID NO: 112 or SEQ ID NO: 184, or

- c. derivatives of the nucleic acid sequence shown in SEQ ID NO: 69, SEQ ID NO: 81, SEQ ID NO: 111 or SEQ ID NO: 183 which encode polypeptides with at least 40% homology at the amino acid level with SEQ ID NO: 70, SEQ ID NO: 82, SEQ ID NO: 112 or SEQ ID NO: 184 and which have $\Delta 6$ -elongase activity.
- 20. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with ω 3-desaturase activity, selected from the group consisting of:
- a. a nucleic acid sequence with the sequence shown in SEQ ID NO: 87 or SEQ ID NO: 105,
- b. nucleic acid sequences which, as a result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 88 or SEQ ID NO: 106, or
- c. derivatives of the nucleic acid sequence shown in SEQ ID NO: 87 or SEQ ID NO: 105 which have polypeptides with at least 60% identity at the amino acid level with SEQ ID NO: 88 or SEQ ID NO: 106 and which have ω 3-desaturase activity.
- 21. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with $\Delta 6$ -desaturase activity, selected from the group consisting of:
- a) a nucleic acid sequence with the sequence shown in SEQ ID NO: 89 or in SEQ ID NO: 97,
- b) nucleic acid sequences which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 90 or in SEQ ID NO: 98, or
- c) derivatives of the nucleic acid sequence shown in SEQ ID NO: 89 or in SEQ ID NO: 97 which encode polypeptides with at least 40% homology at the amino acid level with SEQ ID NO: 90 or in SEQ ID NO: 98 and which have $\Delta 6$ -desaturase activity.
- 22. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with $\Delta 5$ -desaturase activity, selected from the group consisting of:

Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

a) a nucleic acid sequence with the sequence shown in SEQ ID NO: 91, SEQ ID NO: 93, SEQ ID NO: 99 or in SEQ ID NO: 101,

- b) nucleic acid sequences which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 92, SEQ ID NO: 94, SEQ ID NO: 100, or in SEQ ID NO: 102, or
- c) derivatives of the nucleic acid sequence shown in SEQ ID NO: 91, SEQ ID NO: 93, SEQ ID NO: 99 or in SEQ ID NO: 101 which encode polypeptides with at least 40% homology at the amino acid level with SEQ ID NO: 92, SEQ ID NO: 94, SEQ ID NO: 100, or in SEQ ID NO: 102 and which have $\Delta 5$ -desaturase activity.
- 23. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with $\Delta 4$ -desaturase activity, selected from the group consisting of:
- a) a nucleic acid sequence with the sequence shown in SEQ ID NO: 95 or in SEQ ID NO: 103,
- b) nucleic acid sequences which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 96 or in SEQ ID NO: 104, or
- c) derivatives of the nucleic acid sequence shown in SEQ ID NO: 95 or in SEQ ID NO: 103 which encode polypeptides with at least 40% homology at the amino acid level with SEQ ID NO: 96 or in SEQ ID NO: 104 and which have $\Delta 4$ -desaturase activity.
- 24. (Withdrawn) An isolated nucleic acid sequence which encodes a polypeptide with $\Delta 12$ -desaturase activity, selected from the group consisting of:
- a) a nucleic acid sequence with the sequence shown in SEQ ID NO: 107 or in SEQ ID NO: 109, or
- b) nucleic acid sequences which, as the result of the degeneracy of the genetic code, can be derived from the amino acid sequence shown in SEQ ID NO: 108 or in SEQ ID NO: 110, or

Application No.: 10/566,944 Docket No.: 12810-00193-US Amendment Dated February 25, 2010

Response to Office Action of November 25, 2009

c) derivatives of the nucleic acid sequence shown in SEQ ID NO: 107 or in SEQ ID NO: 109 which encode polypeptides with at least 50% identity at the amino acid level with SEQ ID NO: 108 or in SEQ ID NO: 110 and which have Δ 12-desaturase activity.

- 25. (Withdrawn) The isolated nucleic acid sequence according to claim 16, which sequence is derived from an alga, a fungus, a microorganism, a plant or a nonhuman animal.
- 26. (Withdrawn) The isolated nucleic acid sequence according to claim 16, which sequence is derived from the order Salmoniformes, the diatom genera Thalassiosira or Crypthecodinium or from the family of the Prasinophyceae, Euglenaceae or Pythiaceae.
- 27. (Withdrawn) An amino acid sequence which is encoded by an isolated nucleic acid sequence according to claim 16.
- 28. (Withdrawn) A gene construct comprising an isolated nucleic acid according to claim 16, wherein the nucleic acid is linked operably with one or more regulatory signals.
- 29. (Withdrawn) The gene construct according to claim 28, wherein the nucleic acid construct comprises additional biosynthesis genes of the fatty acid or lipid metabolism selected from the group acyl-CoA dehydrogenase(s), acyl-ACP [= acyl carrier protein] desaturase(s), acyl-ACP thioesterase(s), fatty acid acyltransferase(s), acyl-CoA:lysophospholipid acyltransferase(s), fatty acid synthase(s), fatty acid hydroxylase(s), acetyl-coenzyme A carboxylase(s), acyl-coenzyme A oxidase(s), fatty acid desaturase(s), fatty acid acetylenases, lipoxygenases, triacylglycerol lipases, allenoxide synthases, hydroperoxide lyases or fatty acid elongase(s).
- 30. (Withdrawn) The gene construct according to claim 28, wherein the nucleic acid construct comprises additional biosynthesis genes of the fatty acid or lipid metabolism selected from the group $\Delta 4$ -desaturase, $\Delta 5$ -desaturase, $\Delta 6$ -desaturase, $\Delta 8$ -desaturase, $\Delta 9$ -desaturase, $\Delta 12$ -desaturase, $\Delta 6$ -elongase or $\Delta 9$ -elongase.
- 31. (Withdrawn) A vector comprising the nucleic acid according to claim 16.
- 32. (Withdrawn) A transgenic nonhuman organism comprising at least one nucleic acid according to claim 16.

Application No.: 10/566,944 Amendment Dated February 25, 2010 Response to Office Action of November 25, 2009

organism is a microorganism, a nonhuman animal or a plant.

33. (Withdrawn) The transgenic nonhuman organism according to claim 32, which

Docket No.: 12810-00193-US

34. (Withdrawn) The transgenic nonhuman organism according to claim 32, which organism is a plant.